

selecting plant cells or plant tissue suspected of containing a 5-enolpyruvylshikimate-3-phosphate synthase enzyme;

preparing a sample from the plant cells or plant tissue;

contacting the sample with an antibody to form an enzyme-antibody complex; and

detecting the presence of the enzyme-antibody complex; wherein the antibody is immunoreactive with SEQ ID NO:3.

107.  
108. (Added) A kit for the detection of a 5-enolpyruvylshikimate-3-phosphate synthase enzyme in a sample, the kit comprising:

a container comprising an antibody immunoreactive with SEQ ID NO:3; and

a detection agent.--

#### REMARKS

Claims 1-100 were initially filed in the parent case, application Serial No. 09/137,440 and thus have been canceled from this divisional application. The parent application was allowed on November 23, 1999 but has not yet issued.

The active claims in this case are claims 101-108. Added claims 101-108 correspond to cancelled claims 104-111 in the parent case. No new matter is introduced by the addition of claims 101-108.

The specification has been amended to recite the relationship with the parent case, namely that it is a divisional application.

It is believed that no fee is due; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason, the Assistant Commissioner is authorized to deduct said fees from Arnold White & Durkee Deposit Account No. 01-2508/MOBT:175-2/PAT.

Respectfully submitted,



Christopher J. Buntel, Ph.D.

Reg. No. 44,573

Agent for Assignee,

Monsanto Company

ARNOLD, WHITE & DURKEE

P.O. Box 4433

Houston, Texas 77210-4433

(713) 787-1400

Date: December 16, 1999

669721 6504960